

Message Text

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60

ORIGIN L-03

INFO OCT-01 NEA-10 ADP-00 NSC-10 IO-13 CIAE-00 INR-10

NSAE-00 PA-03 RSC-01 USIA-15 PRS-01 SCS-03 SCA-01

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DRAFTED BY L:L/NEA:ATBROWN:DLS

8/21/73 EXT. 29501

APPROVED BY L/NEA:ATBROWN

L/C:FAKWIA TEK

NEA/GRK:GCHURCHILL

S/CCT:JNGATCH (INFO)

NEA:JSISCO (INFO)

NEA/IAI:WTCLUVERIUS (INFO)

NSC - MR. DAY (INFO)

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R 231918Z AUG 73

FM SECSTATE WASHDC

TO AMEMBASSY ATHENS

INFO AMEMBASSY TEL AVIV

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E.O. 11652: N/A

TAGS: PFOR, CASC, US, GR

SUBJ: ATHENS AIRPORT INCIDENT: MEDICAL COSTS

REFS: (A) STATE 156145,(B) ATHENS 5623

1. REF (B) REPORTED GOG UNDERTAKING TO PAY MEDICAL COSTS INCURRED BY VICTIMS OF RECENT ATHENS AIRPORT ATTACK, THUS OBVIATING NECESSITY FOR APPROACH TO GOG SUGGESTED PARA 4, REF (A). PURPOSE OF THIS MESSAGE IS TO CLARIFY RECORD CONCERNING CERTAIN STATEMENTS IN REF (A) IN CASE OF USE IN SIMILAR FUTURE SITUATIONS.

2. UNDER ACCEPTED PRINCIPLES OF INTERNATIONAL LAW, A STATE

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IS RESPONSIBLE FOR THE INJURIES CAUSED TO AN ALIEN BY

ILLEGAL ACTS OF INDIVIDUALS, WHETHER ISOLATED OR COMMITTED IN THE COURSE OF INTERNAL DISTURBANCES, IF THE AUTHORITIES WERE NEGLIGENT IN TAKING THE MEASURES WHICH ARE NORMALLY TAKEN TO PREVENT THE COMMISSION OF SUCH ACTS, TAKING INTO ACCOUNT THE EXTENT TO WHICH THE INJURIOUS ACT COULD HAVE BEEN FORESEEN AND THE PHYSICAL POSSIBILITY OF PREVENTING ITS COMMISSION WITH RESOURCES AVAILABLE TO THE STATE. OF COURSE, THE ISSUE OF LEGAL LIABILITY IS DISTINCT FROM PROVISION OF EX GRATIA PAYMENTS IN SPECIAL SITUATIONS.

3. IN THE CASE OF THE LOD MASSACRE, THE GOVERNMENT OF ISRAEL AGREED TO PAY MEDICAL EXPENSES OF VICTIMS BUT DID NOT ADMIT INTERNATIONAL RESPONSIBILITY.

4. ATHENS INCIDENT WOULD BE GOVERNED BY RULE OF INTERNATIONAL LAW STATED PARA 2, AND DEPT WOULD STRONGLY RELY UPON THAT RULE SHOULD SIMILAR ACT OCCUR IN UNITED STATES.

5. EMB, INFO POST AND DEPT RECIPIENTS REQUESTED TO FILE THIS MESSAGE WITH REFS (A) AND (B) AND CROSS REFERENCE THIS MESSAGE ON REF (A). ROGERS

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 23 AUG 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: garlanwa
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973STATE167848
Document Source: CORE
Document Unique ID: 00
Drafter: L/NEA:ATBROWN:DLS
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: n/a
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730819/aaaaanwt.tel
Line Count: 81
Locator: TEXT ON-LINE
Office: ORIGIN L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: (A) STATE 156145,(B) ATHENS 5623
Review Action: RELEASED, APPROVED
Review Authority: garlanwa
Review Comment: n/a
Review Content Flags:
Review Date: 12 SEP 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <12-Sep-2001 by shawdg>; APPROVED <16-Nov-2001 by garlanwa>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: ATHENS AIRPORT INCIDENT: MEDICAL COSTS
TAGS: PFOR, CASC, US, GR
To: ATHENS
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005